

Miscellaneous Revisions to Personnel Regulations

COMPENSATORY LEAVE

Amend Section 4.15-4 (d) to add the Emergency Management Coordinator (director of the Office of Emergency Management) to the list of senior managers who do not earn compensatory time for overtime hours worked.

- d. Notwithstanding the provisions of this section or any other provision of these personnel regulations or of the procedural directives governing the exempt service, effective July 1, 1998, senior managers shall not be eligible to earn or accrue compensatory leave. For purposes of this section, "senior managers" means Deputy County Executives; Chief Financial Officer; Chief Information Officer; Assistants to the County Executive; the Chief, Fire and Rescue Department; the Chief, Police Department; the County Attorney; the Commonwealth's Attorney; the Sheriff; the Clerk to the Board of Supervisors; the Financial and Programs Auditor; General Registrar; Secretary, Electoral Board; the heads of the following departments, agencies and offices: Administration for Human Services, Community and Recreation Services, Court Services, **Emergency Management**, Equity Programs, Family Services, Finance, Health, Housing and Community Development, Human Resources, Information Technology, Internal Audit, Libraries, Management and Budget, Park Authority, Planning and Zoning, Program Partnerships, Public Affairs, Public Works and Environmental Services, Purchasing and Supply Management, Systems Management for Human Services, Tax Administration, **Cable Communications and Consumer Protection** ~~Telecommunications and Consumer Services~~, Transportation, Vehicle Services and Office for Women; and the Executive Directors of the following boards, commissions, and other entities: Civil Service Commission, Economic Development Authority, Human Rights Commission, McLean Community Center, Mental Health, Mental Retardation, Alcohol and Drug Services Board of Fairfax-Falls Church, Planning Commission, Reston Community Center, and Retirement Administration Agency. Senior managers shall be credited with the amount of unused compensatory leave accrued as of July 1, 1998. Subject to the provisions of these regulations and any other applicable procedural directive, they may take such compensatory leave after July 1, 1998 until such leave balances are exhausted. Senior managers may carry over no more than 240 hours of previously accrued and unused compensatory leave into the 1999 calendar year. Upon separation, senior managers shall be granted a terminal leave payment for any such accrued and unused compensatory leave paid at the senior manager's current rate of pay, on an hourly basis, at the time of separation not to exceed a maximum of 240 hours.

REDUCTION IN FORCE (RIF) PROCEDURES

Amend Section 9.4-5 and 9.4-6 to clarify that an employee who was demoted as part of a RIF and retained his or her pay level will continue to retain that pay level if he or she declines a position in his or her former job class. This revision adds the language needed to reflect County policy in effect since the save pay rules were changed in 2000.

-5 Reemployment

An employee who is demoted, who does not successfully complete the one year transition period following a RIF placement due to unsatisfactory performance, or is unable to utilize a transfer or bumping opportunity under these procedures and is laid off shall have his/her name placed on the reemployment list for his/her active classification. All employees on the reemployment list for a specific job class shall be certified for vacancies in that class. The certification list shall include the seniority rating for each employee; however, selection for a specific vacancy shall be at the sole discretion of the department head or deputy. All employees on the reemployment list for a specific job class must be offered reemployment prior to the certification or selection of applicants not on the reemployment list. Employees who return to a position in their active class under this procedure shall be treated as reinstatements with respect to pay and leave accrual. If an employee is offered and rejects an opportunity for reemployment in the active class, his/her name shall be removed from all reemployment lists. **The employee's salary shall not be affected.**

In addition, at the employee's option, his/her name may be placed on the reemployment lists for secondary classifications as defined in this procedure. Should a vacancy occur in such a secondary class, employees on the reemployment list shall be certified for the vacant position but are not guaranteed placement. Selection for such positions shall be at the discretion of the department head or deputy. If an employee is offered and rejects an opportunity for reemployment in a secondary classification, his/her name shall be removed from only the referenced list. Employees shall remain on reemployment lists created under this procedure for two years or until the employee accepts placement in the active class. In no case, however, shall an employee be eligible for non-competitive appointment to a position higher in pay grade than the position in which the employee was serving at the time of layoff or demotion.

Exempt-limited term and exempt part-time positions that become available in a class in which there are persons with reemployment rights will be offered to persons with reemployment rights in that classification on the basis of seniority. If an employee accepts an exempt-limited term or exempt part-time position, he/she will remain eligible for reemployment as described above.

-6 Pay Retention Provisions

An employee who accepts a demotion under this procedure shall continue to receive the salary he/she had been receiving prior to the demotion until the employee **accepts** ~~qualifies for~~ another position in the former pay grade or in a pay grade in a higher range of pay than the former pay grade. The employee shall not be entitled to an increase in salary ~~as a result of a performance pay increase, cost of living or market pay adjustment~~ until his/her salary falls below the maximum rate of pay for the new pay grade. The performance pay increase date shall not be affected by the demotion. If the employee is returned to his/her active class, the rate of pay shall not change upon return to the active class.

LIBERAL/UNSCHEDULED LEAVE

Amend Section 10.35-1 (a) to reflect the change in terminology when granting leave during inclement weather and other emergencies. Last year to standardize the terminology used by local jurisdictions and the federal government when announcing closures or leave decisions, the County began using the term “unscheduled leave” for those occasions where County government is open for business but employees are able to stay home on leave without the prior approval of their supervisor. Liberal leave is the term that had been used previously for this purpose.

- a. ~~Liberal Leave~~ **Unscheduled Leave** - may be declared by the County Executive or his/her designee when it is deemed advisable to provide employees flexibility regarding reporting to work due to inclement weather or other emergency. ~~Liberal leave~~ **Unscheduled leave** authorizes all employees, except those designated as emergency service personnel, to use their own leave to remain home from work or to leave work early without obtaining prior approval from their supervisor. **Employees, however, must notify their supervisors if they opt to stay home on unscheduled leave.** Employees may only use annual leave, compensatory leave, or leave without pay for this purpose. Such leave is authorized only for the period of time designated by the County Executive or his/her designee.

PERFORMANCE REVIEWS

Amend Section 12.4-2(b) to indicate that when an employee has been supervised by more than one person during a review period, the performance rating will be calculated by weighting the ratings of all supervisors based on the number of months of supervision. This revises the current policy wherein if the current supervisor had supervised an employee for 8 months or more, his or her rating was considered the sole and final rating. While performance reviews are not required for periods of supervision less than 4 months, there are instances when such reviews are completed and now would be included in the employee's final rating.

- b. Except as otherwise provided herein, an employee being transferred so that there will be a change in the supervisor responsible for review shall be reviewed by the former supervisor if the employee has been under his/her supervision for four months or more of the review period. Similarly, if the supervisor is transferred, resigns or otherwise leaves his/her supervisory position, he/she shall submit a formal review on all employees whom he/she has supervised for four months or more in the review period.

In both of these cases when the new supervisor submits the next review for these employees, the time period covered will begin upon the transfer to ensure that no supervisor reviews the performance of an employee for a time period when that employee was not under his/her supervision and that there is no significant time period during which the employee is not reviewed.

In the instances where a non-public safety employee is rated by more than one supervisor during the rating period, ~~if the current supervisor has supervised the employee for eight months or more, the current supervisor's rating will be used as the final rating. If the current supervisor has supervised the employee for less than eight months,~~ the final rating shall be calculated by weighting the ratings of all supervisors ~~(who have supervised the employee for four months or more)~~ during the rating period based on the number of months covered by their individual reviews.